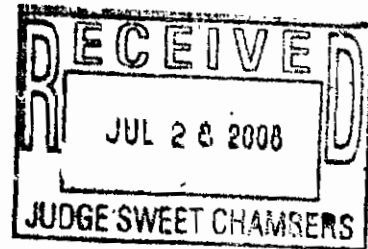


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STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL



ANDREW M. CUOMO
Attorney General

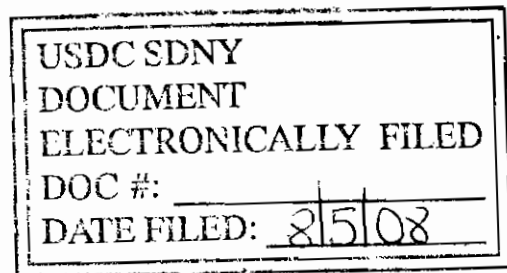
July 25, 2008

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

Via Fax (212)805-7925
Hon. Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Perry v Stephen
08CV3586 (RWS)
Pro Se




Dear Judge Sweet:

This letter is written on behalf of defendant, Corrections Officer Paul Stephens, employed by the New York State Department of Correctional Services ("DOCS") at Downstate Correctional Facility, respectfully to request a further extension of time from July 29, 2008 until August 22, 2008 to respond to the pro se Section 1983 civil rights complaint.

Additional time is being requested to permit our office to obtain from DOCS and Downstate additional records necessary to enable us to prepare our response by means of an Answer or Motion to Dismiss. Except for our initial request to set July 29th as defendant's response date, no previous requests have been made to extend that date. I did not obtain plaintiff's consent prior to making this application because he is incarcerated.

Respectfully submitted,


Donald Nowve
Assistant Attorney General
(212)416-8227

c: Kareem S. Perry
DIN #93-A-5130
Upstate Correctional Facility
309 Bare Hill Road
Malone, New York 12953

So ordered
Juan T. VSDJ
7.30.08